



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,563	07/31/2003	Tom Cheng	13914-031001/2003P00497	2608
32864	7590	09/15/2008		
FISH & RICHARDSON, P.C.			EXAMINER	
PO BOX 1022			PANNALA, SATHYANARAYA R	
MINNEAPOLIS, MN 55440-1022			ART UNIT	PAPER NUMBER
			2164	
			NOTIFICATION DATE	DELIVERY MODE
			09/15/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

<b>Advisory Action Before the Filing of an Appeal Brief</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/632,563	CHENG ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Sathyanaarayana Pannala	2164

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 04 August 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1.  The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a)  The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b)  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2.  The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3.  The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because

- (a)  They raise new issues that would require further consideration and/or search (see NOTE below);
- (b)  They raise the issue of new matter (see NOTE below);
- (c)  They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d)  They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4.  The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5.  Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.

6.  Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7.  For purposes of appeal, the proposed amendment(s): a)  will not be entered, or b)  will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-10, 12, 14-16, 18-23, 25, 27-30 and 32.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8.  The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9.  The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10.  The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11.  The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.

12.  Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_

13.  Other: \_\_\_\_\_.

/Sathyanaarayana Pannala/  
Primary Examiner

Continuation of 3. NOTE: Applicants Amendment will not make amended claims better for appeal. The rejections under 35 U.S.C 112, second paragraph will remain, because applicant amendment did not overcome the rejection.

Continuation of 11. does NOT place the application in condition for allowance because: Claims 1-10, 12, 14-23, 25, 27-30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorsett Jr. (US Patent 6,658,429) hereinafter Dorsett, and in view of Woolston et al. (US Patent 6,856,967) hereinafter Woolston. For example claim 1, is rejected as: As per independent claims 1, 14, 27, Dorsett teaches a method implementing techniques for processing from chemical experimentation for or on a library of materials or a subset of such a library of materials (col. 2, lines 39-45 and col. 5, lines 28-30). Dorsett teaches the claimed, retrieving data from an identified database object, the database object data including attribute data for the database object (Fig. 1, col .5, lines 31-38). Dorsett teaches the claimed, retrieving metadata from the database object, the metadata including a name, a data type, and a value for each attribute of the database object (Fig. 1, col. 9, lines 26-43 and col. 13, lines 14-19). Dorsett teaches the claimed, creating and storing an electronic file for the database object in a generalized data format constructing a generalized data structure for the attribute data using the metadata (Fig. 1, col. 9, lines 20-30). Dorsett teaches the claimed, parsing the attribute data into the generalized data structure (Fig. 1, col. 19, lines 18-21 ). Dorsett teaches the claimed, exporting the electronic file to one or more external systems for display using an application residing on the one or more external systems (Fig. 1, col. 20, lines 40-43). Dorsett does not explicitly teach an application dealing with bid price. However, Woolston teaches the claimed, (Fig. 12, col. 16, line 64 to col. 17, line 1). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Woolston's teachings would have allowed Dorsett's method to provide a consistent navigational or taxonomy scheme to navigate and find pricing information in a heterogeneous computing environment and found on the internet (col. 2, lines 40-45). Therefore, the Final Office Action mailed on 6/3/2008 is maintained.